



# J  
B.D.  
PATENT  
6/9/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eiji NAKATANI

Serial No.: 09/743,510

Group Art Unit: 2644

Filed: January 11, 2001

Examiner: Corey P. Chau

For: AUDIO SIGNAL CONTROLLER AND REPRODUCING  
DEVICE COMPRISING THE SAME

RECEIVED

JUN 07 2004

RESPONSE TO ELECTION OF SPECIES REQUIREMENT Technology Center 2600

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

PLEASE ACCEPT THIS AS  
AUTHORIZATION TO DEBIT  
OR CREDIT FEES TO  
DEP. ACCT. 16-0331  
PARKHURST & WENDEL

In response to the Office Action mailed May 5, 2004, applicant hereby provisionally elects, with traverse, embodiment 1 (Fig. 2) for initial examination in this application. Claims 1 and 3-8 read on the elected embodiment.

Applicant traverses the election requirement since all of embodiments 1 and 2 are sufficiently related that a thorough and complete search for embodiment 1 should encompass a thorough and complete search for embodiment 2.

Search and examination of the entire application can be made without serious burden. See MPEP §803 which states that "[i]f the

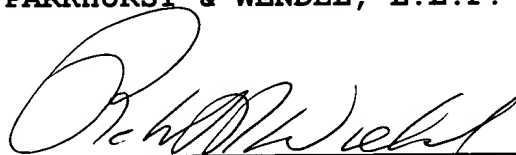
Serial No.: 09/743,510

search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits." This policy should apply in the present application to avoid unnecessary delay and expense to applicant and unnecessary duplicative examination by the USPTO.

For the foregoing reasons, reconsideration and withdrawal of the election requirement and examination of all species herein are respectfully requested.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



Roger W. Parkhurst  
Registration No. 25,177  
Robert N. Wieland  
Registration No. 40,225

June 2, 2004  
Date

RWP:RNW/mhs

Attorney Docket No.: YMOR:184

PARKHURST & WENDEL, L.L.P.  
1421 Prince Street, Suite 210  
Alexandria, Virginia 22314-2805  
Telephone: (703) 739-0220